

United States District Court
Eastern District of California

Michael Huftile,

Plaintiff,

vs.

Val G. Farmer,

Defendant.

No. Civ. S 03-0585 DFL PAN P

Order

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Plaintiff is a civil detainee without counsel seeking to commence a civil rights action. This proceeding was referred to this court by Local Rule 72-302 pursuant to 28 U.S.C. § 636(b)(1).

Plaintiff requests leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915 and has submitted a declaration that makes the showing required by 28 U.S.C. § 1915(a). Plaintiff's request is granted.

The complaint states a cognizable claim for relief.

1 Accordingly, the court hereby orders that:

2 1. Plaintiff's request for leave to proceed in forma
3 pauperis is granted.

4 2. Service is appropriate for defendant Farmer.

5 3. The Clerk of the Court shall send plaintiff one USM-285
6 form, one summons, an instruction sheet and one copy of the June
7 4, 2004, amended complaint pleading.

8 4. Within 30 days from service of this order, plaintiff
9 shall complete the attached Notice of Submission of Documents and
10 submit it to the court with the completed summons and USM-285
11 form and two copies of the June 4, 2004, amended complaint.

12 5. Upon receipt of the necessary materials, the court will
13 direct the United States Marshal to serve defendant Farmer
14 pursuant to Federal Rule of Civil Procedure 4 without payment of
15 costs.

16 Dated: May 10, 2005.

17 /s/ Peter A. Nowinski

18 PETER A. NOWINSKI

19 Magistrate Judge
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Notice of Submission of Documents

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Plaintiff hereby submits the following documents in
compliance with the court's order filed _____:

_____ completed summons form

_____ completed forms USM-285

_____ copies of the _____
Amended Complaint

Dated: _____

Plaintiff